

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

MADOFF SECURITIES

PERTAINS TO THE FOLLOWING CASES:

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

MELVIN B. NESSEL 2006 TRUST
U/A/D 3/14/06, *et al.*,

Defendants.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

MELVIN N. LOCK TRUST, *et al.*,

Defendants.

12-misc-00115 (JSR)

Case No. 11-cv-08897 (JSR)

Adv. Pro. No. 10-04351 (BRL)

Case No. 11-cv-08894 (JSR)

Adv. Pro. No. 10-05410 (BRL)

**DECLARATION OF MATTHEW B. LUNN, PURSUANT TO 28 U.S.C. § 1746, IN
SUPPORT OF TRUSTEE'S MEMORANDUM OF LAW IN OPPOSITION TO
DEFENDANTS' MOTIONS TO WITHDRAW THE REFERENCE**

Pursuant to 28 U.S.C. § 1746, MATTHEW B. LUNN hereby declares as follows:

I am a partner at the firm of Young Conaway Stargatt & Taylor LLP, counsel for Plaintiff Irving H. Picard (the "Trustee") for the substantively consolidated liquidation proceeding of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.*, and the estate of Bernard L. Madoff. As an attorney of record, I am fully familiar with this case and the facts set forth herein. I respectfully submit this Declaration to place before this Court true and correct copies of certain documents relevant to the Trustee's Memorandum of Law in Opposition to Defendants' Motions to Withdraw the Reference filed in the above-captioned matters.

1. Attached hereto as **Exhibit 1** is a true and correct copy of the Complaint filed by the Trustee against The Melvin N. Lock Trust, et al (the "Lock Defendants"), Adv. Pro. No. 10-05410 (Bankr. S.D.N.Y.) (BRL).

2. Attached hereto as **Exhibit 2** is a true and correct copy of the Complaint filed by the Trustee against Melvin B. Nessel 2006 Trust U/A/D 3/14/06, et al (the "Nessel Defendants"), Adv. Pro. No. 10-04351 (Bankr. S.D.N.Y.) (BRL).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 17, 2012.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Matthew B. Lunn

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—and—

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Liquidation of
Bernard L. Madoff Investment
Securities LLC
and Bernard L. Madoff*